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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/750,319	12/29/2000	Robert Walter Schreiber	52817.000122	6995

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EXAMINER

VEILLARD, JACQUES

ART UNIT	PAPER NUMBER
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2165

DATE MAILED: 04/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/750,319

Applicant(s)

SCHREIBER, ROBERT WALTER

Examiner

Jacques Veillard

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the applicant's communication filed on 6/29/2004.
2. Claims 1-20 are pending and are presented for examination.

Response to Arguments

3. Applicant's arguments, filed on June 29, 2004, with respect to the rejection(s) of claim(s) 1-20 under the final rejection have been fully considered and are persuasive. Therefore, the finality of that action has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Craft et al (U. S. Pub. No. 2002/0091696).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-3, 6-8, 11-13, and 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lau (U. S. Pat. No. 6,101,500) in view of Craft et al. (U. S. Pub. No. 2002/0091696).

As per claim 1, Lau discloses "a system for managing objects in a hierarchical data structure" wherein conceptual information has been managed by providing a Management Information base (MIB) (See Lau col.8, lines 46-63) and, enabling a network administrator as user the right to manage and create hierarchical data (See Lau Abstract, col.4, lines 30-59, col.6,

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line 43 through col.7, line 43). In particular, Lau discloses the claimed limitations with the feature of “hierarchical data container creating means for enabling client terminal users to create at least one hierarchical data container (See Lau Fig.3, component 301 which contains a number of container objects 303-305, and c%1.12, lines 24-41); hierarchical data list creating means for enabling client terminal users to create at least one hierarchical data list that comprises the at least one hierarchical data container (See Lau col.11, lines 16-57, and col.12, lines 42-67).

It is noted, however, Lau did not specifically disclose the claimed limitations of “storing means for storing data in the at least one hierarchical data container wherein the data stored by the at least one hierarchical data list comprises a concept. On the hand, Craft et al achieved the claimed feature by providing a computer-implemented methods for tagging data assets includes concept data elements each representing a concept and have a hierarchy specified by concept hierarchy information (See Craft et al. Abstract, Page 1 left hand column section [0004]) wherein data assets can be identify and store as a concept (See Craft et al. Page 1, right hand column sections [0006 through 0009], and Page 2, right hand column section [0021] through Page 3 left hand column section [0024]).

It would have been obvious to one of ordinary skill in the art at the of the Applicant’s invention to modify the system for managing objects in a hierarchical data structure of Lau by incorporating the concept data elements mechanism taught by Craft et al. The motivation being to have enhanced the system of Lau by allowing it to identify a set of data assets more efficiently (See Craft et al. Abstract lines 15-18, page 1 section [0005] lines 11-14); thus proving an intuitive, easy to use, icon based interface that enables a user to define concepts, relations, and the hierarchical organization of concepts (See Craft et al. Page 1 section [0008]).

As per claims 6 and 16, most of the limitations of these claims have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. Therefore, they are rejected on similar grounds corresponding to the arguments given for the rejected claim 1 above.

As per claim 11, most of the limitations of this claim have been noted in the rejection of claims 1, 6, and 16, except that the claim recites a processor, which is also disclosed by Lau (See Fig. 2A element 201 and Fig.2C element 253). Therefore, it is rejected on similar ground corresponding to the arguments given for the rejected claims 1, 6, and 16 above.

As per claims 2, 7, 12 and 17, most of the limitations of these claims have been noted in the rejection of claims 1, 6, 11, and 16. Applicant's attention is directed to the rejection of claims 1, 6, 11, and 16 above. In addition, the combination of Lau and Craft et al, as modified, discloses the claimed limitations of "wherein the concept is stored as a single entity" (See Craft et al. Page 2 right hand column section [0022] lines 9-14) each string that has been stored as a concept corresponds to a single entity.

As per claims 3, 8, 13, and 18, most of the limitations of these claims have been noted in the rejection of claims 1, 6, 11, and 16. Applicant's attention is directed to the rejection of claims 1, 6, 11, and 16 above. In addition, the combination of Lau and Craft et al, as modified, discloses the claimed limitations of "wherein the concept is a color (See Craft et al. Fig.3A element 218 and Page 3, left hand column lines 1-3).

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6. Claims 4, 5, 9, 10, 14, 15, 19, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lau (U. S. Pat. No.6, 101,500) and Craft et al. (U. S. Pub. No. 2002/0091696) as applied to claims 1, 6, 11, and 16 above, and further in view of Becker (U. S. Pat. No. 6,034,697).

As per claims 4, 9, 14, and 19, most of the limitations of these claims have been noted in the rejection of claims 1, 6, 11, and 16. Applicant's attention is directed to the rejection of claims 1, 6, 11, and 16 above.

It is noted, however, the combination of Lau and Craft et al, as modified, did not specifically disclose the claimed limitations of "wherein the color is defined according to a three dimensional color space" as recited in claims 4, 9, 14, and 19. On the hand, Becker achieved the claimed feature by providing an interpolation method between relational tables for purposes of animating data visualization (See Title and Abstract lines 1 1-8), wherein the color is defined according to a three-dimensional color space (See Fig.3, Fig.8 , col.3, lines 11-13, lines 26-29, col.8, lines 30-36, and col.11, lines 32-38).

It would have been obvious to a person of ordinary skill in the art at the time of the Applicant's invention to modify the combination teachings of Lau and Craft et al. with the teachings of Becker to incorporate in Lau and Craft et al. system a thee dimensional color space as taught by Becker with the motivation for a user to visualize data into a multivariate color for the smooth animation of a scatter plot along one or more additional dimensions.

As per claims 5, 10, 15, and 20, most of the limitations of these claims have been noted in the rejection of claims 1, 6, 11, and 16. Applicant's attention is directed to the rejection of claims

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1, 6, 11, and 16 above. In addition, the combination of Lau and Craft et al, and Becker, as modified, discloses the claimed limitations of the combination of Lau and Becker as modified teaches the claimed of “wherein the color is defined according to red, green, and blue attributes of the color” (See Becker's col.3, line 60 through col.4, line 8).

Other Prior Art Made Of Record

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ikeda et al.	U. S. Pat. No.6,243,723,
Goiffon	U. S. Pat. No.6,327,593,
Piskiel et al.	U. S. Pat. No.6,101,556,
Mangat et al.	U. S. Pat. No.6,049,799,
Briggs et al.	U. S. Pat. No.5,617,119, and
Peter Pin-Shan Chen: “The Entity-Relationship Model Toward a unified View of Data”, vol.1, No.1, March 1976, Pg. 9-36.	

Contact Information

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacques Veillard whose telephone number is (571) 272-4086. The examiner can normally be reached on Mon. to Fri. from 9 AM to 4:30 PM, alt. Fri. off..

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached on (571) 272- 4083. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**CHARLES RONES
PRIMARY EXAMINER**



**Jacques Veillard
Patent Examiner TC 2100**

April 4, 2005